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PATENT  
ATTORNEY DOCKET NO.: 041514-5137

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
Hitoshi FURUHATA, et al. )  
Application No.: 09/925,629 ) Group Art Unit: 2651  
Filed: August 10, 2001 ) Examiner: Unassigned  
For: OPTICAL PICKUP APPARATUS

Commissioner for Patents  
**BOX MISSING PARTS**  
Washington, D.C. 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

1. This replies to the Notice to File Missing Parts of Nonprovisional Application mailed September 17, 2001.

A copy of the Notice To File Missing Parts Of Nonprovisional Application is enclosed.

2. Declaration Or Oath

- ☒ No declaration or oath was filed. Enclosed is the original Combined Declaration and Power of Attorney
- ☐ The specification attached to the declaration is a copy of the specification and any amendments thereto which were filed in the PTO to obtain the filing date.
- ☐ The declaration or oath which was filed was determined to be defective. A new original Combined Declaration and Power of Attorney is attached.

3. English Translation of Non-English Language Papers

- ☐ Submitted herewith is a verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the PTO.

Also enclosed is the Verification of Translation Document

4. Small Entity Status

- ☐ Small entity status under 37 C.F.R. § 1.27 is asserted for the present application.

5. Fee Calculation

			Basic Fee:	\$740.00
			Patent Application-\$740.00	
			Design Application-\$330.00	
	Number Filed	Number Extra	at a Rate of	
Total Claims	22 - 20 =	2	\$ 18.00 each	\$36.00
Independent Claims	4 - 3 =	1	\$ 84.00 each	\$84.00
Multiple dependent claim(s), if any			\$280.00	
Missing Parts Surcharge Fee			\$130.00	\$130.00
<b>SUB-TOTAL =</b>				<b>\$990.00</b>
Reduction by 1/2 for filing by a small entity				
<b>SUB-TOTAL =</b>				<b>\$990.00</b>
Fee For Application Filed With A Non-English Specification (37 C.F.R. § 1.17(k) and § 1.52(d))			\$130.00	
Fee For Processing and retention of application (37 C.F.R. § 1.21(l) and § 1.53(d))			\$130.00	
<b>TOTAL FILING FEE =</b>				<b>\$990.00</b>

6. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- ☐ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. §§ 1.17(a)-(d), for the total number of months checked below:

Total months requested	Fee for extension	[fee for Small Entity]
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 400.00	\$200.00
<input type="checkbox"/> three months	\$ 920.00	\$460.00
<input type="checkbox"/> four months	\$1,440.00	\$720.00
<input type="checkbox"/> five months	\$1,960.00	\$980.00

Extension of time fee due with this request: \$ . . . . .

If an additional extension of time is required, please consider this a Petition therefor.

- ☒ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

7. Fee Payment

The total fee due is: Completion Fees \$ 990.00  
Assignment Fees \$ 40.00

Total Fee Due \$ 1030.00

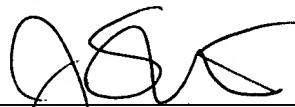
- ☒ Enclosed is a check in the amount of \$ 1030.00 representing the total fee due and the assignment recordation fee.
- ☒ **Except** for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §1.16 and §1.17 which may be required, or credit any overpayment to Deposit Account No. 50-0310.

8. Additional papers enclosed.

- ☒ Formal Drawings – 5 sheets containing 9 sheets
- ☒ Claim for Priority
- ☒ Certified copy of Japanese Application No. 2000-250676 filed August 22, 2000
- ☒ Assignment Recordation Cover Sheet
- ☒ Assignment
- ☐ Information Disclosure Statement
- ☐ PTO Form 1449 w/1 reference
- ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**



John G. Smith  
Reg. No. 33,818

Date: November 13, 2001

**CUSTOMER NO. 09629**

MORGAN, LEWIS & BOCKIUS LLP

1800 M Street, N.W.

Washington, D.C. 20036

Telephone: (202) 467-7000

Facsimile: (202) 467-7176

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## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/925,629	08/10/2001	Hitoshi Furuhashi	041514-5137

CONFIRMATION NO. 2929

## FORMALITIES LETTER



009629  
MORGAN, LEWIS & BOCKIUS  
1800 M STREET NW  
WASHINGTON, DC 20036-5869

Date Mailed: 09/17/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

11/14/2001 SDIRETA1 00000042 500310 09925629

FILED UNDER 37 CFR 1.53(b)

01 FC:101 740.00 CH  
02 FC:103 130.00 OP  
03 FC:102 36.00 OP  
04 FC:105 84.00 OP

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$116.
  - \$36 for 2 total claims over 20.
  - \$80 for 1 independent claims over 3 .
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 956.

11/14/2001 SDIRETA1 00000043 09925629

01 FC:101 740.00 OP  
02 FC:105 130.00 OP  
03 FC:103 36.00 OP  
04 FC:102 84.00 OP

A copy of this notice **MUST** be returned with the reply.

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

Declassified 9-18-01 Attorney JGS  
Case 41514-5137  
Due Date 11-17-01  
Action Missing Parts  
By SPW Chk P513